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**Abstract**  
**Exceptional Competence for Public Security Personnel in Initial Investigation**

**Nasir Abdulsalam Sarayreh**

**Mu'tah University, 2010**

If the competence of the public security personnel as the staff of law enforcement is limited in ordinary cases in carrying out the examination, reasoning and initial investigation related to the crime, this competence expands in two cases: if the case is *flagrante delicto*, or if the public security personnel have been assigned to make an investigation by the Prosecution represented by the Public Prosecutor. In reference to the Jordanian Criminal Procedure Law, we notice that the *flagrante delicto* is defined as the offense, which is seen when or immediately after being committed, as well as the offense the perpetrator of which has been arrested on the screams of people when it occurs, or if the perpetrator has been caught with objects, weapons or papers, which indicate that he/she is the perpetrator of the offense within the next twenty-four hours.

The *flagrante delicto* requires the heads of security centers and police officers to take exceptional measures affecting the personal freedom of individuals such as arrest, inspection and hearing the statements of witnesses, in accordance with the provisions of Article (46) of the Code of Criminal Procedure of Jordan.

As for the referral to the Prosecution, it is one of the initial investigation proceedings in which the Prosecutor assigns a police officer to take his place to do a job or more in the initial investigation with the exception of questioning the accused in accordance with Articles (48&92) of the Code of Criminal Procedure of Jordan.

The researcher has reached at the conclusion of this study to a number of findings and recommendations deemed necessary to be taken by the Jordanian legislator. The results showed that the measures exercised by the public security personnel in the cases of *flagrante delicto* and the case of referral for investigation are initial investigation procedures originally for the Public Prosecutor. Also the Jordanian lawmaker elaborated in cases of *flagrante delicto* despite being mentioned for limitation as well as there are deficiencies in the organization of referral for investigation where its provisions did not come in detail.

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